**CLAIMS** 

What is claimed is:

1. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent

intervertebral bodies of a human spine, said spacing member

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member, said spacing member

further comprising a length between a first end and a second

end, and a width, said length having a greater dimension than

10 said width;

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positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies, said

positioning means comprising a sheath member, a rod member

slidably insertable into the sheath member, and a means for

releasably attaching the rod member to the first end of the

spacing member,

wherein said sheath member is confined to a size about

the rod member sufficient to prevent the spacing member from

entering the sheath member, and such that an end of the sheath

member abuts the first end of the spacing member when the rod

member is attached to the first end of the spacing member, to

provide stability for positioning the spacing member.

2. The intervertebral spacing implant system of claim 1,

wherein the rod member has a longer length than the sheath

member, such that a proximal portion of the rod member

protrudes from the sheath member when said rod member resides

within said sheath member and is attached to the spacing

member.

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3. The intervertebral spacing implant system of claim 1,

wherein the means for releasably attaching the rod member to

the spacing member further comprises a threaded engagement.

4. The intervertebral spacing implant system of claim 3,

wherein the means for releasably attaching the rod member to

the spacing member further comprises a female threaded recess

formed in the spacing member, and wherein the rod member

comprises a male threaded distal end having a size and

configuration sufficient to permit threaded engagement between

said male threaded distal end of the rod member and the female

threaded recess formed in the spacing member.

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5. The intervertebral spacing implant system of claim 1,

wherein the sheath member is removable from the rod member

when the rod member is attached to the spacing member.

6. The intervertebral spacing implant system of claim 1,

wherein said sheath member contactably circumscribes a point

of attachment of the rod member with the spacing member.

7. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent

intervertebral bodies of a human spine, said spacing member

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member, said spacing member

further comprising a length between a first end and a second

end, and a width, said length having a greater dimension than

said width;

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positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies, said

positioning means further comprising an attachment means for

becoming releasably attached to the spacing member at a first

area of attachment, and a stabilizing means for removably

contacting the spacing member along a contact line that

20 surrounds the first area of attachment.

8. The intervertebral spacing implant system of claim 7,

wherein the stabilizing means further comprises means for

Clayton, Howarth & Cannon, P.C. P.O. Box 1909 Sandy, Utah 84091-1909 Phone: (801) 255-5335 contacting the spacing member along a circular contact line that circumscribes the first area of attachment, said circular contact line being disposed in a substantially co-axial orientation with respect to the first area of attachment.

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9. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member comprising an external, non-porous, concavo-convex contour with respect to one dimension of said spacing member, said spacing member comprising a length between a first end and a second end, and a width, said length having a greater dimension than said width, said spacing member further comprising an upper surface having a plurality of spaced apart elongate recesses formed therein; and

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies, said positioning means comprising an elongate member, and a means for releasably attaching the elongate member to the first end of the spacing member.

10. The intervertebral spacing implant system of claim 9, wherein said first end comprises complementary means for releasably attaching the elongate member to the spacing member.

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11. The intervertebral spacing implant system of claim 10, wherein said complementary means for releasably attaching the elongate member to the spacing member comprises a recess in said spacing member.

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12. The intervertebral spacing implant system of claim 11, wherein said complementary means for releasably attaching the elongate member to the spacing member comprises threads in said recess.

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- 13. The intervertebral spacing implant system of claim 9, wherein said elongate member comprises a sheath member and a rod member slidably insertable into the sheath member.
- 14. The intervertebral spacing implant system of claim
  13, wherein the rod member has a longer length than the sheath
  member, such that a proximal portion of the rod member
  protrudes from the sheath member when said rod member resides

within said sheath member and is attached to the spacing

member.

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15. The intervertebral spacing implant system of claim

9, wherein the means for releasably attaching the elongate

member to the spacing member further comprises a threaded

engagement.

16. The intervertebral spacing implant system of claim

15, wherein the means for releasably attaching the elongate

member to the spacing member further comprises a female

threaded recess formed in the spacing member, and wherein the

elongate member comprises a male threaded distal end having a

size and configuration sufficient to permit threaded

engagement between said male threaded distal end of the

elongate member and the female threaded recess formed in the

spacing member.

17. The intervertebral spacing implant system of claim

10, wherein said second end of said spacing member comprises

a taper in a medial-lateral direction.

18. The intervertebral spacing implant system of claim 9, wherein said spacing member comprises a planar upper surface and a planar lower surface, said spacing member further comprising a solid configuration characterized by the absence of through holes between said planar upper surface and said planar lower surface.

19. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member comprising an external, concavo-convex contour with respect to one dimension of said spacing member, said spacing member further comprising a length between a first end and a second end, and a width, said length having a greater dimension than said width, wherein said first end comprises attachment means for releasably attaching positioning means to said spacing member, and said second end comprises a taper such that a thickness of said second end is less than a thickness of said first end; and

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies.

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20. The intervertebral spacing implant system of claim

19, wherein said spacing member is non-porous.

21. The intervertebral spacing implant system of claim

19, wherein said attachment means for releasably attaching

positioning means to said spacing member comprises a recess in

said spacing member.

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22. The intervertebral spacing implant system of claim

21, wherein said attachment means for releasably attaching

positioning means to said spacing member further comprises

threads in said recess.

23. The intervertebral spacing implant system of claim

19, wherein said positioning means comprises a sheath member

and a rod member slidably insertable into the sheath member.

24. The intervertebral spacing implant system of claim

23, wherein the rod member has a longer length than the sheath

member, such that a proximal portion of the rod member

protrudes from the sheath member when said rod member resides

within said sheath member and is attached to the spacing

member.

25. The intervertebral spacing implant system of claim 19, wherein the attachment means for releasably attaching positioning means to said spacing member further comprises a

threaded engagement.

the spacing member.

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26. The intervertebral spacing implant system of claim 19, wherein the attachment means for releasably attaching positioning means to said spacing member further comprises a female threaded recess formed in the spacing member, and wherein the positioning means comprises a male threaded distal end having a size and configuration sufficient to permit threaded engagement between said male threaded distal end of the elongate member and the female threaded recess formed in

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- 27. The intervertebral spacing implant system of claim 19, wherein said spacing member comprises a planar upper surface and a planar lower surface, said spacing member further comprising a solid configuration characterized by the absence of through holes between said planar upper surface and said planar lower surface.
  - 28. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent

intervertebral bodies of a human spine, said spacing member

having a cashew shape;

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies, said

positioning means comprising a sheath member, a rod member

slidably insertable into the sheath member, and a means for

releasably attaching the rod member to the first end of the

10 spacing member,

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wherein said sheath member is confined to a size about

the rod member sufficient to prevent the spacing member from

entering the sheath member, and such that an end of the sheath

member abuts the first end of the spacing member when the rod

member is attached to the first end of the spacing member, to

provide stability for positioning the spacing member.

29. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent

intervertebral bodies of a human spine, said spacing member

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member, said spacing member

further comprising a length between a first end and a second

end, and a width, said length having a greater dimension than said width;

a sheath member, a rod member slidably insertable into the sheath member, and a threaded portion on the rod member for releasably attaching the rod member to the first end of the spacing member for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies,

wherein said sheath member is confined to a size about the rod member sufficient to prevent the spacing member from entering the sheath member, and such that an end of the sheath member abuts the first end of the spacing member when the rod member is attached to the first end of the spacing member, to provide stability for positioning the spacing member.

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30. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member having a cashew shape;

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies, said positioning means further comprising an attachment means for

becoming releasably attached to the spacing member at a first area of attachment, and a stabilizing means for removably contacting the spacing member along a contact line that surrounds the first area of attachment.

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31. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member comprising an external, non-porous, concavo-convex contour with respect to one dimension of said spacing member, said spacing member having a cashew shape, said spacing member further comprising an upper surface having a plurality of spaced apart elongate recesses formed therein; and

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies, said positioning means comprising an elongate member, and a means for releasably attaching the elongate member to the first end of the spacing member.

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32. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member

comprising an external, non-porous, concavo-convex contour with respect to one dimension of said spacing member, said spacing member comprising a length between a first end and a second end, and a width, said length having a greater dimension than said width, said spacing member further comprising an upper surface having a plurality of spaced apart elongate recesses formed therein; and

a sheath member, a rod member slidably insertable into the sheath member, and a threaded portion on the rod member for releasably attaching the rod member to the first end of the spacing member for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies.

33. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent intervertebral bodies of a human spine, said spacing member comprising an external, concavo-convex contour with respect to one dimension of said spacing member, said spacing member further comprising a length between a first end and a second end, and a width, said length having a greater dimension than said width, wherein said first end comprises attachment means for releasably attaching positioning means to said spacing

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member, and said second end comprises a taper, wherein said

taper operates to reduce a thickness of said second end with

respect to said first end without reducing a width of said

second end; and

5 positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies.

34. The intervertebral spacing implant system of claim

10 19, wherein said positioning means comprises a rod member.

35. An intervertebral spacing implant system comprising:

a spacing member adapted for implanting between adjacent

intervertebral bodies of a human spine, said spacing member

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member, said spacing member

further comprising a length between a first end and a second

end, and a width, wherein said first end comprises an opening

for releasably attaching positioning means to said spacing

20 member; and

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies, said

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positioning means comprising a sheath member, a rod member

slidably insertable into the sheath member, and a means for

releasably attaching the rod member to the opening in the

first end of the spacing member,

5 wherein said sheath member is confined to a size about

the rod member sufficient to prevent the spacing member from

entering the sheath member, and such that an end of the sheath

member abuts the first end of the spacing member when the rod

member is attached to the first end of the spacing member, to

10 provide stability for positioning the spacing member;

wherein said sheath member is movable with respect to

said rod in a direction away from said spacing member when

said rod is attached to said spacing member; and

wherein said sheath member contacts said spacing member

in a non-interference fit such that said sheath member can

rotate with respect to said spacing member.

36. The intervertebral spacing implant system of claim

35, wherein the means for releasably attaching the rod member

to the opening in the first end of the spacing member

comprises threads on the end of the rod.

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37. The intervertebral spacing implant system of claim

35, wherein the sheath member is removable from the rod member

when the rod member is attached to the spacing member.

5 38. The intervertebral spacing implant system of claim

35, wherein the sheath member has a uniform cross section

along a length of said sheath member.

39. The intervertebral spacing implant system of claim

35, wherein the rod member has a uniform cross section along

a length of said rod member.

40. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent

vertebral bodies of a human spine as a load-bearing

replacement for a spinal disc, said spacing member further

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member;

wherein the spacing member is solid and is either

inherently non-porous or is otherwise rendered non-porous, and

is constructed from a rigid, non-resilient load-bearing

material;

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wherein the spacing member defines an imaginary arcuate centerline residing between opposing sides of the external concavo-convex contour of said spacing member, said arcuate centerline forming less than half a circle such that said spacing member has a cashew shape having a uniform width along

a majority length of the spacing member;

wherein the spacing member comprises an upper surface and a lower surface and a free insertion end, and wherein said spacing member includes a tapered portion such that said spacing member becomes progressively thinner toward said free insertion end of said spacing member, wherein said tapered portion is characterized by at least one smooth surface that is a part of either said upper surface or said lower surface, said smooth surface having an absence of corners, points or other abrupt edges; and

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies.

41. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent vertebral bodies of a human spine as a load-bearing replacement for a spinal disc, said spacing member further

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comprising an external, concavo-convex contour with respect to one dimension of said spacing member;

wherein the spacing member is solid and is constructed from a rigid, non-resilient load-bearing material;

wherein the spacing member defines an imaginary arcuate centerline residing between opposing sides of the external concavo-convex contour of said spacing member, said arcuate centerline forming less than half a circle such that said spacing member has a cashew shape having a uniform width along a majority length of the spacing member;

wherein the spacing member comprises an upper surface and a lower surface and a free insertion end, and wherein at least one of said upper surface and said lower surface comprises a male corner line, and wherein said spacing member includes a tapered portion between said male corner line and said free insertion end of said spacing member such that said spacing member becomes progressively thinner from said male corner line toward said free insertion end of said spacing member, wherein said tapered portion is characterized by at least one smooth surface that is a part of either said upper surface or said lower surface and extends from said male corner line to said free insertion end, said smooth surface having an absence of corners, points or other abrupt edges, and

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positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies.

42. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent vertebral bodies of a human spine as a load-bearing replacement for a spinal disc, said spacing member further comprising an external, concavo-convex contour with respect to one dimension of said spacing member;

wherein the spacing member is either inherently nonporous or is otherwise rendered non-porous, and is constructed from a rigid, non-resilient load-bearing material;

wherein the spacing member defines an imaginary arcuate centerline residing between opposing sides of the external concavo-convex contour of said spacing member, said arcuate centerline forming less than half a circle such that said spacing member has a cashew shape having a uniform width along a majority length of the spacing member;

wherein the spacing member comprises an upper surface and a lower surface and a free insertion end, and wherein at least one of said upper surface and said lower surface comprises a male corner line, and wherein said spacing member includes a

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tapered portion between said male corner line and said free insertion end of said spacing member such that said spacing member becomes progressively thinner from said male corner line toward said free insertion end of said spacing member, wherein said tapered portion is characterized by at least one smooth surface that is a part of either said upper surface or said lower surface and extends from said male corner line to said free insertion end, said smooth surface having an absence of corners, points or other abrupt edges; and

positioning means for enabling a surgeon to adjust a position of the spacing member when said spacing member resides between adjacent intervertebral bodies.

## 43. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent vertebral bodies of a human spine as a load-bearing replacement for a spinal disc, said spacing member further comprising an external, concavo-convex contour with respect to one dimension of said spacing member;

wherein the spacing member is solid and is either inherently non-porous or is otherwise rendered non-porous, and is constructed from a rigid, non-resilient load-bearing material;

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wherein the spacing member defines an imaginary arcuate

centerline residing between opposing sides of the external

concavo-convex contour of said spacing member, said arcuate

centerline forming less than half a circle such that said

spacing member has a uniform width along a majority length of

the spacing member;

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wherein the spacing member comprises an upper surface and

a lower surface and a free insertion end, and wherein at least

one of said upper surface and said lower surface comprises a

male corner line, and wherein said spacing member includes a

tapered portion between said male corner line and said free

insertion end of said spacing member such that said spacing

member becomes progressively thinner from said male corner

line toward said free insertion end of said spacing member,

wherein said tapered portion is characterized by at least one

smooth surface that is a part of either said upper surface or

said lower surface and extends from said male corner line to

said free insertion end, said smooth surface having an absence

of corners, points or other abrupt edges; and

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies.

Clayton, Howarth & Cannon, P.C. P.O. Box 1909 Sandy, Utah 84091-1909 Phone: (801) 255-5335 44. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent

vertebral bodies of a human spine as a load-bearing

replacement for a spinal disc, said spacing member further

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member;

wherein the spacing member is solid and is either

inherently non-porous or is otherwise rendered non-porous, and

is constructed from a rigid, non-resilient load-bearing

10 material;

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wherein the spacing has a cashew shape;

wherein the spacing member comprises an upper surface and

a lower surface and a free insertion end, and wherein at least

one of said upper surface and said lower surface comprises a

male corner line, and wherein said spacing member includes a

tapered portion between said male corner line and said free

insertion end of said spacing member such that said spacing

member becomes progressively thinner from said male corner

line toward said free insertion end of said spacing member,

wherein said tapered portion is characterized by at least one

smooth surface that is a part of either said upper surface or

said lower surface and extends from said male corner line to

said free insertion end, said smooth surface having an absence

of corners, points or other abrupt edges; and

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies.

45. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent

vertebral bodies of a human spine as a load-bearing

replacement for a spinal disc, said spacing member further

comprising an external, concavo-convex contour with respect to

one dimension of said spacing member;

wherein the spacing member is solid and is either

inherently non-porous or is otherwise rendered non-porous;

wherein the spacing member defines an imaginary arcuate

centerline residing between opposing sides of the external

concavo-convex contour of said spacing member, said arcuate

centerline forming less than half a circle such that said

spacing member has a cashew shape having a uniform width along

a majority length of the spacing member;

wherein the spacing member comprises an upper surface and

a lower surface and a free insertion end, and wherein at least

one of said upper surface and said lower surface comprises a

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male corner line, and wherein said spacing member includes a

tapered portion between said male corner line and said free

insertion end of said spacing member such that said spacing

member becomes progressively thinner from said male corner

line toward said free insertion end of said spacing member,

wherein said tapered portion is characterized by at least one

smooth surface that is a part of either said upper surface or

said lower surface and extends from said male corner line to

said free insertion end, said smooth surface having an absence

10 of corners, points or other abrupt edges; and

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies.

15 46. An intervertebral spacing implant comprising:

a spacing member adapted for implanting between adjacent

vertebral bodies of a human spine as a load-bearing

replacement for a spinal disc, said spacing member further

comprising an external, concavo-convex contour with respect to

20 one dimension of said spacing member;

wherein the spacing member is solid and is either

inherently non-porous or is otherwise rendered non-porous, and

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is constructed from a rigid, non-resilient load-bearing

material;

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wherein the spacing member defines an imaginary arcuate

centerline residing between opposing sides of the external

concavo-convex contour of said spacing member, said arcuate

centerline forming less than half a circle such that said

spacing member has a cashew shape having a uniform width along

a majority length of the spacing member;

wherein the spacing member comprises an upper surface and

a lower surface and a free insertion end, and wherein at least

one of said upper surface and said lower surface comprises a

male corner line, and wherein said spacing member includes a

tapered portion between said male corner line and said free

insertion end of said spacing member such that said spacing

member becomes progressively thinner from said male corner

line toward said free insertion end of said spacing member;

and

positioning means for enabling a surgeon to adjust a

position of the spacing member when said spacing member

resides between adjacent intervertebral bodies.